

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

ROBERT W. BARICKMAN,

Plaintiff,

v.

**Civil Action No. 1:07cv134
(Judge Keeley)**

**FRED BUMGARDNER,
PAROLE BOARD MEMBERS,**

Defendants.

**ORDER DIRECTING PLAINTIFF TO FILE
ADDITIONAL DOCUMENTATION**

On September 28, 2007, the *pro se* plaintiff initiated this case by filing a civil rights complaint against the above-named defendants. In the complaint, the plaintiff asserts that he has sent two requests to the parole board asking for copies of letters that any persons may have written against him. Both of the plaintiff's requests were denied by a representative of West Virginia Attorney General's Office. The plaintiff asserts that he does not want copies of these documents for nefarious purposes, rather, he wants them to prepare for his next parole hearing. The plaintiff claims entitlement to these documents under the Freedom of Information Act ("FOIA"). On October 17, 2007, the plaintiff paid the required filing fee. Thus, this case is ripe for preliminary review pursuant to LR PL P 83.01, et seq.

Upon review of the complaint, it appears that the plaintiff has requested the records from the appropriate state agency under the FOIA. Moreover, it appears that the Attorney General's Office has denied these records pursuant to exemption. However, the Court is unable to assess the

appropriateness of the Attorney General's denial without knowing the specific exemptions that were claimed. Therefore, within **twenty (20) days** from the date of this Order, the plaintiff shall file with the Court, copies of his requests to the parole board and the responses he received from the Attorney General's office. The failure to comply with this Order in the allotted time could result in a recommendation that the plaintiff's complaint be dismissed.

IT IS SO ORDERED.

The Clerk is directed to mail a copy of this Order to the *pro se* plaintiff.

DATED: October 18, 2007.

/s *John S. Kaull*
JOHN S. KAULL
UNITED STATES MAGISTRATE JUDGE